**Section 5210.60 Seniority Rosters and Lines of Progression**

It is a violation of the Act for an employer or labor organization to classify jobs by sex. It is also a violation of the Act to establish a system of classification, seniority or progression, even if sex is not mentioned, if the system operates as a form of classification by sex or impedes the advancement by persons of one sex into certain jobs unless the criteria involved in the classification scheme are bona fide occupational qualifications for jobs in question. It is not a violation for an employer and/or labor organization to maintain separate selection or eligibility lists for apprenticeship or other training programs, based upon sex, where necessary to observe the terms of a quota selection system duly imposed by a judicial or quasi-judicial ruling or a bona fide voluntary affirmative action program. In determining whether such voluntary affirmation action program is bona fide the facts to be considered shall include, but are not limited to:

a) Is the program designed to break down old patterns of discrimination;

b) Does the plan unnecessarily trammel the rights of other employees; and

c) Is the plan a temporary measure and designed to remedy a minifest imbalance.